

Appln No. 10/621,988
Amdt date December 23, 2008
Reply to Office action of September 23, 2008

REMARKS/ARGUMENTS

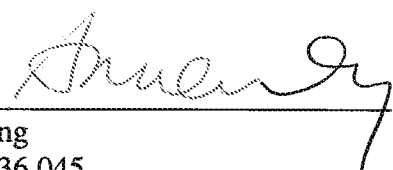
In the Office action dated September 23, 2008, the Examiner rejected claim 15 under 35 U.S.C. §112, second paragraph as allegedly indefinite for being dependent on canceled claim 13. In response, Applicant has amended claim 15 to depend from claim 48, which provides proper antecedent basis for the limitations of claim 15. Accordingly, Applicant respectfully requests withdrawal of this rejection.

The Examiner also rejected claims 1-9, 15 and 46-48 under 35 U.S.C. §103(a) as allegedly obvious over Chandrasekaran in view of one or more of Panescu (U.S. Patent Publication No. 2003/0078509), Fung, et al. (U.S. Patent No. 6,120,476) and Webster, Jr. (U.S. Patent No. 5,827,278). However, amended independent claim 1 recites a tip electrode fixedly and non-rotationally mounted at the distal end of the catheter body and an ultrasound transducer mounted on a surface of the tip electrode. None of Chandrasekaran, Panescu, Fung and Webster, Jr. teach or suggest such a combination of features. In particular, none of the cited references teach or suggest an ultrasound transducer mounted on a surface of a tip electrode that is fixedly and non-rotationally mounted at the distal end of the catheter body. Rather, Chandrasekaran discloses a catheter for treating total chronic occlusions by ablating new lumens through the occlusion. Column 1, lines 45-58. The catheter includes an ultrasound transducer and conductive electrode secured to the distal end of a conductive driveshaft. The driveshaft is rotated by an advancer or motor drive at a rate of approximately 1,500-2,000rpm. Column 3, lines 7-10. Rotation of the driveshaft is necessary to enable a 360° view of the vessel and the occluding material. Column 1, lines 53-54. As rotation of the ultrasound transducer is necessary to the Chandrasekaran device, that reference fails to teach or suggest an ultrasound transducer mounted on a surface of a tip electrode that is fixedly and non-rotationally mounted at the distal end of the catheter body, as recited in independent claim 1. Since Panescu, Fung and Webster, Jr. also fail to teach or suggest this feature, independent claim 1, and all claims dependent therefrom, including claims 2-9, 15 and 46-48, are allowable over Chandrasekaran, Panescu, Fung and Webster, Jr.

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Claims 1-9, 15 and 46-48 remain pending in this application, with claims 17-45 withdrawn from consideration. By this amendment, Applicant has amended claims 1 and 15. The amendments find full support in the original specification, claims and drawings, and no new matter is presented. In light of the above amendments and remarks, Applicant submits that all of pending claims 1-9, 15 and 46-48 are in condition for allowance. Applicant therefore respectfully requests reconsideration and a timely indication of allowance. However, if there are any remaining issues that can be addressed by telephone, Applicant invites the Examiner to contact Applicant's counsel at the number indicated below.

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

By 
Anne Wang
Reg. No. 36,045
626/795-9900

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